

ment or agency or bureau of the Government empowered to acquire the land shall be of the opinion that the ultimate award probably will be within any limits prescribed by Congress on the price to be paid.

(Feb. 26, 1931, ch. 307, § 3, 46 Stat. 1422.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 258e-1 of this title; title 10 section 7422; title 16 section 831c; title 25 section 500a; title 33 section 598; title 39 section 410; title 42 sections 1502, 1594a, 2222; title 50 section 167f.

§ 258d. Taking in advance of final judgment; right as additional to existing rights, powers, and authority

The right to take possession and title in advance of final judgment in condemnation proceedings as provided by section 258a of this title shall be in addition to any right, power, or authority conferred by the laws of the United States or those of any State or Territory under which such proceedings may be conducted, and shall not be construed as abrogating, limiting, or modifying any such right, power, or authority.

(Feb. 26, 1931, ch. 307, § 4, 46 Stat. 1422.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 258e-1 of this title; title 10 section 7422; title 16 section 831c; title 25 section 500a; title 33 section 598; title 39 section 410; title 42 sections 1502, 1594a, 2222; title 50 section 167f.

§ 258e. Taking in advance of final judgment; demolition of buildings thereon; erection of public buildings or works; funds available for purpose

In any case in which the United States has taken or may take possession of any real property during the course of condemnation proceedings and in advance of final judgment therein and the United States has become irrevocably committed to pay the amount ultimately to be awarded as compensation, it shall be lawful to expend moneys duly appropriated for that purpose in demolishing existing structures on said land and in erecting public buildings or public works thereon: *Provided*, That in the opinion of the Attorney General, the title has been vested in the United States or all persons having an interest therein have been made parties to such proceeding and will be bound by the final judgment therein.

(Feb. 26, 1931, ch. 307, § 5, 46 Stat. 1422; Sept. 1, 1970, Pub. L. 91-393, § 4, 84 Stat. 835.)

AMENDMENTS

1970—Pub. L. 91-393 struck out “, notwithstanding the provisions of section 255 of this title” after “public works thereon”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 258e-1 of this title; title 10 section 7422; title 16 section 831c; title 25 section 500a; title 33 section 598; title 39 section 410; title 42 sections 1502, 1594a, 2222; title 50 section 167f.

§ 258e-1. Interest as part of just compensation

Interest required to be paid under sections 258a to 258e-1 of this title shall be calculated by the district court as follows:

(1) Where the period for which interest is owed does not exceed one year, interest shall be calculated for such period from the date of taking at an annual rate equal to the coupon issue yield equivalent (as determined by the Secretary of the Treasury) of the average accepted auction price for the last auction of 52 week United States Treasury bills settled immediately before the date of taking.

(2) Where the period for which interest is owed is more than one year, interest for the first year shall be calculated in accordance with paragraph (1) and interest for each additional year shall be calculated on the combined amount of the principal (the amount by which the award of compensation exceeds the deposit referred to in section 258a of this title) and accrued interest at an annual rate equal to the coupon issue yield equivalent (as determined by the Secretary of the Treasury) of the average accepted auction price for the last auction of 52 week United States Treasury bills settled immediately before the beginning of each additional year.

The Director of the Administrative Office of the United States Courts shall distribute to all Federal courts notice of the rates described in paragraphs (1) and (2).

(Feb. 26, 1931, ch. 307, § 6, as added Nov. 14, 1986, Pub. L. 99-656, § 1(2), 100 Stat. 3668.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 258a of this title; title 10 section 7422; title 16 section 831c; title 25 section 500a; title 33 section 598; title 39 section 410; title 42 sections 1502, 1594a, 2222; title 50 section 167f.

§ 258f. Exclusion of certain property by stipulation of Attorney General

In any condemnation proceeding instituted by or on behalf of the United States, the Attorney General is authorized to stipulate or agree in behalf of the United States to exclude any property or any part thereof, or any interest therein, that may have been, or may be, taken by or on behalf of the United States by declaration of taking or otherwise.

(Oct. 21, 1942, ch. 618, 56 Stat. 797.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 50 section 167f.

§§ 259, 260. Repealed. Pub. L. 86-249, § 17(7), (12), Sept. 9, 1959, 73 Stat. 484, 485

Section 259, R.S. § 3734; act June 25, 1910, ch. 383, § 33, 36 Stat. 699, prescribed a limitation on the cost of sites for public buildings.

Section 260, act Mar. 2, 1889, ch. 411, 25 Stat. 941, prohibited payment of commissions for disbursements on account of sites for public buildings, and prescribed the manner of making payments for sites for public buildings under the control of the Treasury Department. See section 601 et seq. of this title.

SAVINGS PROVISION

Sections repealed except as to their application to any project referred to in section 613 of this title, see section 17 of Pub. L. 86-249, set out as a note under section 341 of this title.